



CITY COUNCIL AGENDA REPORT

MEETING DATE: JUNE 3, 2008

ITEM NUMBER:

SUBJECT: ORDINANCE 08-04 ADOPTING REZONE R-08-01 FOR THE PROPERTY LOCATED AT 320 E. 18TH STREET.

DATE: MAY 21, 2008

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: DONALD D. LAMM, AICP, DEPUTY CITY MANAGER, DEV. SVS. DIRECTOR

**FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, SENIOR PLANNER
(714) 754-5610**

RECOMMENDATION:

Give second reading to Ordinance 08-04 that amends the Zoning Map to designate property located at 320 E. 18th Street as R2-MD (Multiple Family – Medium Density).

ANALYSIS:

On May 20, 2008, City Council gave first reading to the attached ordinance (5-0). Staff has no further information on this item.

MINOO ASHABI, AIA
Senior Planner

DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

DISTRIBUTION: City Manager
Asst. City Manager
City Attorney
Deputy City Manager – Dev. Svs. Dir.
Public Services Director
City Clerk (2)
Staff (4)
File (2)

ATTACHMENT: 1 Ordinance 08-04

ATTACHMENT 1
ORDINANCE 08-04

ORDINANCE NO. 08-4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING A 0.2 ACRE PARCEL FROM I&R (INSTITUTIONAL AND RECREATIONAL) TO R2-MD (MULTIPLE FAMILY RESIDENTIAL – MEDIUM DENSITY) FOR PROPERTY LOCATED AT 320 E. 18TH STREET.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, Rezone R-08-01 is consistent with the 2000 General Plan adopted in January, 2002, as amended by GP-08-01;

WHEREAS, Rezone R-08-01 involves a change in the zoning district of real property located at 320 E. 18th Street from I&R (Institutional and Recreational) to R2-MD (Multi-Family Residential—Medium Density);

WHEREAS, Rezone R-08-01 will allow residential development at a maximum density of 12 du/ac, or 1 dwelling unit per 3,630 square feet, as allowed by the General Plan;

WHEREAS, on April 28, 2008, after a duly noticed public hearing, the Planning Commission recommended City Council approval of Rezone R-08-01 by adoption of Resolution No. 08-38;

SECTION 1. REZONE. The City of Costa Mesa Official Zoning Map is hereby amended as follows:

a. There is hereby placed and included in the R2-MD (Multiple Family Residential – Medium Density) zoning district a 0.2-acre parcel, identified as Assessor Parcel Number 117-251-36 and as shown in attached Exhibit “A,” situated in the City of Costa Mesa, County of Orange, State of California.

b. Pursuant to the provisions of Section 13-22 of the Costa Mesa Municipal Code, the Official Zoning Map of the City of Costa Mesa is hereby amended by the change of zone described in subsection a hereof and in the respective exhibit. A copy of the Official Zoning Map is on file in the office of the Planning Division.

SECTION 2. ENVIRONMENTAL DETERMINATION. The proposed rezone was processed in accordance with the requirements of the California Environmental

Quality Act (CEQA), the State CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines, and is considered an exempt activity under CEQA Guidelines Section 15332, Class 32, related to infill development.

SECTION 3. INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 4. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5. PUBLICATION. This ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and, prior to the expiration of fifteen (15) days from its passage, shall be published once in the NEWPORT BEACH/COSTA MESA DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED this 3rd day of June, 2008.

Eric R. Bever, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing Ordinance No. 07-4 was duly introduced for first reading at a regular meeting of the City Council held on the 20th day of May, 2008, and that thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council held on the 3rd day of June, 2008, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 4th day of June, 2008.

JULIE FOLCIK, CITY CLERK

(SEAL)

I hereby certify that the above and foregoing is the original of Ordinance No. 07-4 duly passed and adopted by the Costa Mesa City Council at the regular meeting held June 3, 2008, and that Summaries of the Ordinance were published in the Newport Beach-Costa Mesa Daily Pilot on May __ and June __, 2008.

JULIE FOLCIK, CITY CLERK




(SEAL)

Exhibit A

320 E. 18th Street (APN 117-251-36)

Proposed Zone – R2-MD

**Legend:
Zoning**

	LR
	C2
	RD/RH
	CI
	R-1
	R2-MD
	Q
	R3
	M3

